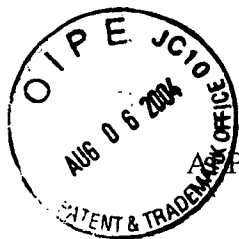


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANT: Thomas
A. RUSSELL, et al.

SERIAL NO.: 10/679,158 Group Art Unit: 3739

FILED: October 3, 2003 EXAMINER:

FOR: SURGICAL POSITIONERS

ATTORNEY DOCKET NO.: 50642/287729

DATE: 8/2/04

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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08 are cited for consideration by the Examiner. Copies of the non-U.S. patent documents are submitted with this paper.

Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

U.S. Serial No. 10/679,158

Filed: October 3, 2003

INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before issuance of a first Office action on the merits. Applicant believes that no fee is due for submission and consideration of this paper. The Commissioner is authorized to charge any fees associated with this filing or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,



Michael A. Bertelson
Reg. No. 54,713

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Receipt date: 08/06/2004

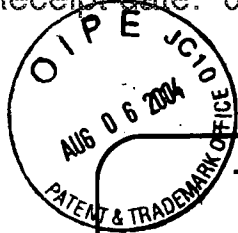
10679158 - GAU: 3737

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/679,158 |
| | | Filing Date | October 3, 2003 |
| | | First Named Inventor | Thomas A. RUSSELL |
| | | Art Unit | 3739 |
| | | Examiner Name | |
| Total Number of Pages in This Submission | | Attorney Docket Number | 50642/287729 |

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Sheet 2 of 3

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|------------------------|-------------------|
| Application Number | 10/379,158 |
| Date Filed: | October 3, 2003 |
| First Named Inventor | Thomas A. RUSSELL |
| Group Art Unit | 3739 |
| Examiner Name | |
| Attorney Docket Number | 50642/287729 |

| Examine r Initials * | Cite No. ¹ | Document Number | Publication Date MM-D/D-YYYY/ | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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| | | | Date Filed: | October 3, 2003 |
| | | | First Named Inventor | Thomas A. RUSSELL |
| | | | Group Art Unit | 3739 |
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| Sheet 3 of 3 | Attorney Docket Number | | 50642/287729 | |

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